

Message

From: Baca, Andrew [Baca.Andrew@epa.gov]
Sent: 1/4/2021 6:03:11 PM
To: Pirzadeh, Michelle [Pirzadeh.Michelle@epa.gov]
Subject: 12/2 Wheeler Memo: Office of Mountains, Deserts & Plains
Attachments: Office of Mountains, Deserts & Plains.pdf

Michelle – attached is the memo from Wheeler regarding the new OLEM mining office. Patty's message below went to a subset of the ET and I've also included in the bottom an Inside EPA article on the memo.

From: McGrath, Patricia <mcgrath.patricia@epa.gov>
Sent: Thursday, December 3, 2020 3:18 PM
To: Baca, Andrew <Baca.Andrew@epa.gov>; Terada, Calvin <Terada.Calvin@epa.gov>; Opalski, Dan <Opalski.Dan@epa.gov>; Li, Beverly <Li.Beverly@epa.gov>; Fordham, Tami <Fordham.Tami@epa.gov>; Edmondson, Lucy <Edmondson.Lucy@epa.gov>
Subject: Office of Mountains, Deserts & Plains

Dear Mining ET Subgroup:

Attached is a Dec 2 memo from the Administrator regarding the new Office of Mountains, Deserts & Plains.

The mission of OMDP is to focus on:

1. Expediting the effective cleanup of abandoned uranium mines on the Navajo Nation;
2. Streamlining procedures and processes for Good Samaritan cleanup efforts and promoting Good Samaritan cleanup projects at abandoned hardrock mining sites in the West;
3. Leading and organizing, using EPA Lean Management System principles, the cleanup of hardrock mining Superfund sites in the West; and
4. Identifying the most advanced technology solutions for historic hardrock mining sites in the West and improving their acceptance and application in the field.

The new office is mining and SEMD-focused, though the Good Samaritan projects and issues could entail Water Program coordination. Earlier this week R10 SEMD and ORC staff and managers and I participated in a kickoff call with Shahid Mahmud (Acting Director, OMDP) and his team regarding this new office.

Patty

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Wheeler Memo Touting Western Office Model Might Limit Biden's Options

December 15, 2020

EPA Administrator Andrew Wheeler in a new memo is touting the western agency mountains office that he created as a model for eliminating "silos" of disparate programs within EPA in order to bolster environmental protection, but one observer says the memo's scope might limit any bid by President-elect Joe Biden to scrap the office.

In a [Dec. 2 memo](#) obtained by *Inside EPA*, Wheeler indicates he is pushing ahead with plans [announced in September](#) to create a new western office aimed at speeding cleanups of former hardrock mining sites.

However, the agency chief also suggests the office could broaden its scope to address other regional issues. And he describes how the division will lead various tasks while coordinating with other offices at headquarters and in the regions, and also be required to concur on any significant hardrock mining cleanup decisions.

"The creation of this new office demonstrates how the EPA is thinking outside the box with creative solutions to local problems, reevaluating how we manage projects and workflow, so that we can achieve efficient and effective environmental cleanup," Wheeler writes in the memo, addressed to top agency officials. "This office stands as an example of removing silos within the agency to promote collaboration internally."

But former EPA regional official Nat Miullo cautions that if the incoming Biden administration wants to reverse the creation of the office, the memo could make it much harder to achieve that goal -- particularly if the Trump EPA has already made significant personnel decisions including relocating employees to staff the division.

It is unclear when the new office, to be located in Lakewood, CO, will be fully staffed, and an agency spokesperson did not respond to a request for comment by press time.

Wheeler sent the memo to EPA Associate Deputy Administrator Doug Benevento, Acting General Counsel David Fotouhi, Chief of Staff Mandy Gunasekara, the Office of the Chief Financial Officer, assistant administrators, and the regional administrators that head the agency's 10 regions around the country.

Wheeler also says that the agency "recognizes that a one-size-fits-all approach to environmental remediation is not effective and inhibits the agency's ability" to meet its environmental protection mission.

"Implementing geographic-specific solutions to environmental challenges and fostering partnerships with states, tribes, local communities and other stakeholders will improve the EPA's ability to respond to the range of special issues and unique needs associated with these distinct ecosystems that have lingered for far too long," he says.

But Miullo, a retired EPA advisor to western regional administrators on Good Samaritan and mining site cleanups, cautions that aspects of the memo are written broadly. Miullo tells *Inside EPA* that this could give the administration the ability to pursue a broader interpretation that could affect more than just mining sites -- noting even the name of the office -- Office of Mountains, Deserts and Plains (OMDP) -- is "wide open" to interpretation.

He notes that the original Trump transition team of 2016 wanted to eliminate EPA, raising concern over trusting that the Trump EPA administration -- which has just over a month left in office -- will limit this only to mining issues.

Lack Of Transparency

Further, Miullo cites the lack of transparency in the memo, the lack of any cost-benefit analysis showing that the shift would prove beneficial and a lack of congressional support. Sen. Tom Udall (D-NM) and Rep. Betty McCollum (D-NM) earlier this year criticized EPA for undertaking the shift without congressional input, [asking EPA to halt](#) implementation of the plan until congressional appropriators approved it.

At the conclusion of the memo, the administrator also alludes to potentially wider responsibilities for OMDP in the future. "[I]t is my expectation that OMDP will make significant and dramatic improvements in our cleanup efforts at all these western hardrock mine sites. When successful, OMDP will serve as a model and may be asked to address other regional issues that impact the western United States," he says.

For the Biden EPA, Miullo notes it is much easier to reverse changes made only on paper, versus pulling staff back from relocations if they have already been assigned to OMDP.

Miullo notes that various offices work on mining cleanup sites -- not just Superfund personnel, but also staff in the water, enforcement and policy offices, given that such cleanups require significant resources. He adds that Wheeler's memo does not make clear what level of resources EPA is dedicating to the new office.

And given the number of higher priority issues likely to be on the Biden EPA's agenda, it might not be able to undo the office immediately even if that is a goal, he says.

OMDP will report directly to the Office of Land & Emergency Management at EPA headquarters, and is focused on expediting cleanup of abandoned uranium mines on the Navajo Nation, streamlining so-called Good Samaritan cleanups at hardrock mining sites, using Lean management system principles in mining cleanups, and identifying advanced technology solutions for hardrock mining sites.

OMDP's Operations

The memo describes how OMDP will implement Lean into its own operations and implement parallel efforts in Regions 6,7,8,9 and 10 for hardrock mining sites in those regions. The office will also collaborate with regional offices to develop cleanup and reuse plans and timelines for cleanups, and it will concur on significant mining cleanup decisions.

Further, Wheeler calls for various offices to revise and amend a memorandum of agreement with the Navajo Nation and various EPA regions to add in the role of OMDP. The new office is also to coordinate with the agency's tribal office on cleanup of abandoned mines on tribal lands.

The office also will work with the Office of Research and Development to initiate a stakeholder dialogue with others on identifying innovative technologies and approaches to more cost-effectively clean up contaminated Superfund and hardrock mining sites, Wheeler says.

He also calls for coordination with the Office of Water and congressional, public engagement and policy offices. Further, OMDP will be the lead program for reviewing requests for Good Samaritan cleanups, he says. -- *Suzanne Yohannan* (syohannan@iwpnews.com)

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